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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,726	02/20/2004	Koji Hirose	0670-7043	3626

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ERIC ROBINSON
PMB 955
21010 SOUTHBANK ST.
POTOMAC FALLS, VA 20165

EXAMINER	
LE, LANA N	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/781,726	HIROSE, KOJI	
	Examiner	Art Unit	
	Lana N. Le	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 2/20/04

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-3 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-3 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the following informalities: line 3 of the claim states "according to for a gain". Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> **(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.**

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marko et al (US 6,735,416) in view of the admitted prior art.

Regarding claim 1, Marko et al disclose a satellite digital radio broadcast receiver (fig. 6-A; fig. 6-B) having an IC (235') including a first reception series (227', 212', 235' for terrestrial processing path 231') for performing a reception processing of a satellite wave signal from a satellite and an IC (237') including a second reception series (229', 214', 237' for satellite processing path 233') for performing a reception processing of a ground wave signal from a repeater (18) (col 5, lines 15-17; col 4, lines 28-32) in order to receive both the satellite wave signal and the

ground wave signal having the same broadcast contents and different modulation methods , the satellite digital radio broadcast receiver comprising:

automatic gain control means (128'; fig. 6A) for amplifying a signal from a single antenna (110') at a variable gain amplifier (122'), and in accordance with a level of a signal outputted from the variable gain amplifier (122'), for controlling a gain of the variable gain amplifier to control the level of the signal outputted from the variable gain amplifier (122') (col 5, lines 53-64); and

a two-way distributor (225') for distributing an output (output from @) of the automatic gain control means (128') to two distribution outputs (227', 212', 235' for terrestrial processing path 231', and 229', 214', 237' for satellite processing path 233'), wherein one of the two distribution outputs (231') from the two-way distributor (225') is supplied to said first integrated circuit (235') as an input signal to the first reception series (231'), and the other of the two distribution outputs from the two-way distributor is supplied to the second integrated circuit (237') as an input signal to the second reception series (233') (col 5, line 65 – col 6, line 41). Marko et al do not disclose the first and second reception series are in one IC. The admitted prior art disclose the first and second reception series are in one IC (1C) (fig. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first and second reception series in one IC in order to provide miniaturization of the receiver circuit to reduce space and for compactness.

Regarding claim 2, Marko et al and the admitted prior art disclose the satellite digital radio broadcast receiver according to claim 1, wherein Marko et al disclose

the two-way distributor (225') operate to distribute an input at a distribution ratio according to a gain of the first reception series and a gain of the second reception series (via AGC 128').

Regarding claim 3, Marko et al and the admitted prior art disclose the satellite digital radio broadcast receiver according to claim 1, wherein Marko et al disclose the antenna (110') is either an antenna for receiving the satellite wave signal or an antenna for receiving the ground wave signal (col 4, lines 28-32).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891. The examiner can normally be reached on M-F 9:30-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lana Le

5-24-06

LANA LE
PRIMARY EXAMINER